KANSAS.

FIFTH DAY. Correspondence of Tae N. Y. Tribune.

LAWRENCE, June 18, 1858.

The prosecution announced that they propose? to close their evidence, reserving the right to re the witness Henry Jenkins, merely to pro se the correctness of the plat, subject to all le cal objections that should be made if he were no w produced in Court.

THE DEFENSE-TEST MONE.

THE DEFENSE—TES ANONE.

Edward Munroe, sworn—I sow Ray Green, Mr.
Jenkins's hired man; I saw him in town just after
Jenkins was shot; agan at jenkins house about half
an hour after the occurrer se.

[Examined as to credi shity of witness Green.]

Q. What did Mr. G.een say at that time and place
in regard to the affray at the house? A. He stated
that they went up there armed in the first place, to
Lone's house, and commenced cutting down the gate,
and Lane came out unarmed and ferbid their cutting
his feare down; they cut the fence down and came and Lane come out unarried and forbid their cutting his feace down; they cut the feace down and came into his inclosure; Lane then turned into his house and came out arried with a gun and told them that if they advanced another step he would shoot them; Mr. Jerkins raised his ax and turning to his men said. "Rush on to the d—d villain and kill him;" Green said he then down his revolver and snapped twice at Lane and at the third time his pistel and Lace signs went off at the same time; he said that if his pistel had not at the same time; be said that if his pistol had a snapped the first time he drew the trigger Lane wor not have killed J-nkins, because he, Green, would have killed him first; he made no statement, I think, about any message having been sent by Jenkins to Lane; Green stated that the ax was so Jenkins's hand, raised, at the time of the affray; these statements were made not merely to me but to a crowd half an hour after the homicide; I saw Jenkins's face after death,

after the homerick; I saw Jenkins's face after death, but have not experience to tell whether its expression indicated pain or anger.

By Stanton, cross examined—I am an intimate friend of Lane; I have talked to him once only since Jenkins's death; since the day it occurred, I heard him telling a crowd about it; the following persons were present at the conversation of Green—Charley Dyer and Chas. Olmstead; I toink Sam Fry; I don't remember the names of the others; there must have been 15 or 20 in the crowd; cannot be nositive as to Fry; I understead Green to say that Jenkins had the ax raised above his head at the time he was snot; I had no conversation with Green when he was intown; I heard him say Jenkins was shot; he gave no particulars; Green did not mention the men who went with Jenkins; he said they were all armed with Coit's revolvers and one Sharpe's rifle; Green said nothing of the distance between Lane and Jenkins when Lane fined; I would not like to give an opinion as to the expression of the corpse's face; there was consideraexpression of the corpse's face; there was considerable excitement sgainst Lane with two or three men in the crowd; they were in favor of hanging him. Ob-

col Young said that Lane was not to be tried by the crowd; this testimony was irrelevant.

Mr. Stanton-The question is intended to show what effect these alleged statements of Green had on what effect these alleged statements of Green and on the crowd; thereby, perhaps, to impeach the testi-mony and veracity of this witness. If the statements made by Green were as alleged by witness, certainly the effect of it would not be to produce an excitement

against Lane.

Col. Young ineisted that the question was as irrelevant as it would be to ask if the Dey of Algiers got mad shen the bull got into his harem.

I have given the answer of witness, but the counsel objected to its going as evidence. Court sustained ablication.

By Mr. Ewing-Mr. Green I heard from the begin

ning of his statement; he was continuing it when I left to go over to Lake's house.

By the Court—I have heard Lane make a statement of the case twice; once on the day of the killing, to a crowd, and once afterward, when I was at his house; the last conversation took place about a week ago.

By Mr. Ewing—I was also a friend to Jenkins, and satimate with him as with Lane.

Cel. Young objected to the presence of the witness Green during the examination of the witnesses im-peaching his testimony, that is to say, if he was to be

produced again.

Court sustained objection. Green left.

Mr. J. Simmons, sworn—I know Mr. Green, who
was in the employ of Mr. Jenkins; I did not know him
at the time of the occurrence; know him now; I heard
a declaration made by him on the day of the affray. about one hour after the occurrence; he came to my house to borrow a water bucket, which I gave him, at the same time asking bim if Jenkins was killed; he said not; he proceeded to a well bear my house; I joined him on his way to Jenkinss; took one bucket out of his hand, at 'he same time asking him who shot Gen. Lane; he said there were three shots fired at him, and he believed his shot was the one which took effect, and he could not be bought to shoot a man for any other man in the word unless for Mr. Jenkins, or any other person, adding that if his pistol had not gene off Lane would not have killed Jenkins, saying that they had snapped their pistols, but they did not go off; we arrived at the gete; he took the bucket from me; that was the last discourse I had with him:

Mr. Stanton-It is probable that I may be mis-By Mr. Stanton—It is probable that I may be mis-taken as to what Green said; I was cool, and desired to find cut the facts: I did not understand Green to say that if his pirt I had gone off Lane would not have get into his house alive, instead of that he would not have killed Jenkins; he said detinctly, that it was his snot that took effect; since the killing, Lane and I shot that took effect; since the killing, Dales and I bave talked over the matter some; Green did not say who fired, but that three shots were fired by his party at Lane; I am equally positive that Green said Jerkins was not dead when I knew otherwise; I knew Jackins was dead, because I had seen the corpse; I was the fourth party that arrived at the house to see it; if e was not then quite extinct; I could perceive a slight nevenent of the nuscles: I made no renark, when Green said Jerkins was not dead; perhaps my wife heard Green say that Jerkins was not dead; I am not sure of that, no other person overheard the rest of our conversation, for we were walking up the path to

Green did not state the time when their pistols

By Mr. Ewing-It was more than half an hour from the time that I saw the copee before I saw Green; I knew that Jenkins must be dead by that time, as the novement of the inneces was so signt when I saw him, that be could not possibly have survived more than a few minutes longer, therefore I believed him

[Green had just come from town, and hence he may have supposed that Jankins might still be in garing.—

Scroggs Stewarf, sworn—I have had a conversation with young Jerkes since the death of his uncle; he said that his uncle; Green, Dafur and hisnelf went over to Lane's for water, and that he carried the ax, Green a revolver and his usele the Sharpe's rifle; they came to a sate; then he attempted to enop it down; his nucle oid not think him quick enough; cut it down; himself and then marched on with the ax in his hand; he said they were all armed except him and he had the ax; I heard this distinctly; he did not say how

Dufur was armed.

Cross-examined by Stanton-I am positive about Cross-examined by Stanton—I am positive about my statements; positive that young Jenkins and that his nucle marched in with the ax in his hand; this conversation took place be ween one-half and three-quarters of an hour after Jenkins was shot, and be-hind his house; there were a number present; I thick that Mr. Mr Cleugh was one of them, but not positive about it; I do not recollect the names of any of the others; there were five or six of them there.

G. H. Emory, eworn—I know Henry W. Jenkins (his eviderce objected to, as he had heard the previous testimony—everuled); I had a conversation with him in The Republican office in relation to this affair since Jenkins's death; I asked if he knew who fired the Sompe's ritle; I asked him where he was when it was fred; he said he was holding his uncle's head, and that the blood was gushing out of his mouth

AFTERNOON SESSION AFTERSON SESSION.

A. J. McClough sworn—I know H. W. Jankins by sight; I heard som reply to questions put to him on the day of the affray on Gen. Lanes premises; some one asked him if his uncle was armed; he said that he loaded a pistol and put it in his pocket before he started; some one asked him if his uncle had the ax when he was about; he said he had; I do not recoilect him saying that all were armed.

Cross examined—This was about three-quarters of an hour after the affray—after Jenkins's hody had

an hour after the affray—after Jenkins's hody had been carried to his house: I do not know whether young Jenkins went over with the corpse to his uncle's house and came back to Gen. Lane's premises: I think there and came back to Gen. Lance's premises; I think the first that I saw him come through the gave a few minutes before, I think from the direction of his nucles homes; the did fall the minutes are minutes before, I think from the direction of his nucles homes; the did fall the minutes are minutes before, I think from the direction of his nucles homes; the did fall the current are minutes before, I think from the direction of his nucles homes; the same day, 284, at 2 p. m., arriving here on the same day arrived the next mention of the same day, 284, at 2 p. m., arriving here on the same day, 284, at 2 p. m., arriving here on the same day, 284, at 2 p. m., arriving here on the same day, 284, at 2 p. m., arriving here on the same day, 284, at 2 p. m., arriving here on the same day, 284, at 2 p. m., arriving here on the same day, 284, at 2 p. m., arriving here on the same day, 284,

countenance; the seemed to be a was a strong expression on it; indicated per settled frown; could not say whether it indicated per settled frown; could not say whether it indicated per settled frown; the impression on my neared a kirdicated passion; I don't know how it apitive! A othern, and would not be like to say possible! A store; I did not know him then; I knew him afterwards on Lane's premises; he was pointed out by Simmons as a nephew of deceased—I think by Simmons but I am not certain.

A. J. Totten, sworn—I know Mr. Ray Green by eight; on the day of the affray at the house of Jenkins, I heard a portion of a statement of the homicide made by him; I had been looking at the corpse through the window, and hearing a man making a statement I listened and heard him say that he was down to Lane's when he was shot; some one asked him how many there were of them, and he said tour; some one asked him if he had shot Lane; he said he did not know whether he hit him or not—that he fired twice and snapped a cape often if he didn't hit hum, he intended to he said; he

tour; some one asked him if he had shot bade; he said he did not know whether he hit him or not—that he fired twice and snapped a cap once; if he didn't hit him, he intended to, he said; he hoped he had killed Lane, he said; but, if he hada't, he would do it, as he would make it a dear shooting to him; I left him there and went down to Mr. Lane's: I heard him say that when Lane fired he was walking backward or backing out; I dieremember whether he said anything or not of Jenkina's position; I heard some person—notsure whether it was Jenkins or not—Mr. Stanton—Don't say it, then.

Witness—I saw the body of Mr. Jenkins perhaps about half an hour after the affray; I saw his countenance; the expression appeared to be a wild, ferocious countenance; I went directly from Jenkina's house to Lane: that was the first time I went to Lane's house; since then I have had no conversation with Lane, but I have heard him make statements and portions of statements several times since, in reistion to the circumstances that had taken place; I don't remember who were present when Green made in statements. don't remember who were present when Green made nie statemente; there were probably twenty or upward present when he did so; they were addressed to the crowd. Mr. McClough and Mr. Monroe were there; there were a great many men I know, but don't recol-lect their names; these two men are not particular ac-qualitances of mine; this conversation took place on the rest had of the house ear the shed.

the north side of the house, near the shed.

By Mr. Ewmg—Mr. Green was making a statement when I went up, and was making a statement when I heft: I neither went up nor left with Mr. Murroe nor McClough; I went to see Lane because I knew him

and had been told he was shot.

By Mr. Stanton—I could not say whether these gentlemen (Muoroe and McClough) were present when I went up; I left them there when I went to

Jas. F. Walker sworn-I knew Jenkins, and I know Jas. F. Walker sworn—I knew Jenkins, and I know Lane; I have been acquainted with them both ever since they came into the Territory: I heard Gaius Jenkine, during the progress of the land trial at Lecempton, some four weeks ago, make threats against Lane; it was in front of the Collamer Baildings, Lawrence; he was talking of the claim: he said that if Laregot the claim at the trial he should never occupy it; he said, also, that as soon as the trial was over he would put Lare cut of the house; I have heard Jenkins say several times, when talking about the claim, that he ought to have killed Lane; I lived in the Chapman house from November, 1857, till this Spring; a number of neighbors used the well, and therefore Chapman house from November, 1857, till this Spring; a number of neighbors used the well, and therefore there was not always water enough; four different times I stopped them from getting it for about a week; there was enough for one family; generally on Mondays I did not allow any one to draw water from it. whenever I stopped the neighbors, I also stopped M Jenkins: I never recoilect Jenkins coming to the well himself—his nephew came: him I stopped, and also nen in Jenkins's employ: I never heard Jenkins say he would hill Lane, and he kept his furniture and books there, and boarded there when in town; never was a picket fence around the house and well, and the force on the hear wide, was the line fence het wenn his ferce on the back side was the line fence between his

ferce on the back side was the line fence between his inclorure and Jenkins.

Cross-examined.—Q. Did you not, in the office of S. N. Wood, state that you rented that house of S. N. Wood, and that Gen. Lane claimed it; the title being in dispute you got the rent all Winter for nothing?

A. No, Sir; but what I said was that S. N. Wood asked me for the rent several times; I told him I rented the house of Lane; I paid him the rent of it; I got the key of the house of the man that noved out when I moved in; the man who succeeded me in renting was Mr. Nichols, who also hired the house of Lane; I heard them talking of the price, and understood Nichols was to pay \$12 a month; he moved in when I moved out, and remained until he moved away for the family of Gen. Lane; Lane was there when for the family of Gen. Lane; Lane was there when

Nichols put his things in the house.

By Mr. Ewing—I communicated the threats used by Jerkins to Gen. Lane the next day after they were

uttered.
R. B. Nichols, sworn—I occupied the house known as the Chapman House (where Gen Lane now lives); as the Chapman House (where Gen. Lane now lives);
I went into it March 24, and left it May 24; Lane gave
me possession of it: I paid him the reat for it; he
boarded with me when in town when I lived in that
house; he had a large quantity of books, a bed,
trunke, &c., in the house; they, were all in when I
moved in; he brought in some other furniture when I have coupsed the house since: I have heard Gains Jerkins make threats against Lane; on March 25, Mr. Jet kins can e up in his buggy to the north side of the lot; he says, "Nichols, if you prove true to me, you'll never less arrything by it;" then he stated, "If I caich Jim Lane on this claim, I'll take him by the each Jim Lane on this claim, I'll take him by the cuff of the neck and put him off;" we had no more talk about it till about a week before I was going to leave; I told him so; he said; "I want you to get Lane out before you leave;" I told him I could not do it; I had no right to do it; Jenkins appeared quite angry; he said; "If you go off and leave Lane there, I will have him out, dead or alive;" that was about the end of the conversatior; I cid not tell Lane the last threat until Jerkins was killed; the day before I left the boxes. I toid him Loude the way before I left. the bouse, I told him I did not believe it would be safs for him to remain on the claim above—he would be

That per of Mr. Nichols's evidence which was not communicated to Lone (I mean the threats) was or-

dered to be suicker out.
Witness-I told Lane the substance of these threats. Cross examined.—State whether you told Lane that Jethie had threatened that, "If Jim Love remains there after you go out, I will have nimeff my claim, dean or any?" A. I cid communicate the substance; I told him

A. I did concommicate the substance; I told him pretty nearly in the same words; I don't know as I could a we the words I used in telling him.

Q. What did you mean by testifying on your direct examination that you did not tell that threat to Lane until Jenkins was dear? A. I don't know what your entrying to get sal; there seems to be something I cannot understand.

[Legel sperring.]

Witness resuming—I meant what I said.
Q. Did you not say to me in the streets of Lawrence a cay or two after the homicide, that you did not communicate this threat of Jenkins's, that he would have Lane off dead or alive to Gan. Lane until Jenkins was killed?

Jenkins was gilled?

Objected to—overruled.

A. I have no recollection of any such thing.

Q. Do you remember meeting me one evening after the homicide, on the road after my return from Col. Jenkins, and speaking to me of the subject matter of your testiment? A. I do not.

Witness—I took a written lesse of the premises for Leving of the home in which I see now lives.

Mr. Coe derived to read the deed of the property sgred by witness and Jenkins.

Objected to. from Jenkins of the house in which Lane now lives.

Court adjourned. SIXTH DAY.

Correspondence of The N. Y. Tribune. Lawrence, Saturday, June, 19, 1858.

Court ressembled at 9 o'clock. R. D. Niebels, r-called.

The Court cecided that they would admit the lease granted by Jenkins to Nichols, the last tenant before Lare of the Chapman house, in the yard of which the hemocide occurred. It was read. It requires the monthly payment, in advance, of \$20 per month for monthly payment, in savance, of \$30 per month for the bouse, reserving the right to use the well. Witness-Is there nothing in the lease which was not in when it was signed? Mr. Coe-Not to my knowledge.

Mr. Coe-Not to key knowledge.

Withes: You've got the number of the range, township, section, and portion of the section which were not in which I signed it.

Mr. Ore remarked that he made the lease, and that

he cerired to be sworn on that subject.

Witness—Have no recollection of Mr. Jenkins saying that he knew the expression was wrong when I expressed that opinion to him in reference to his declaration that he would have Laps off the claim dead or sive; cen't remember replying to the threat at all. (Kittees stated yesterday that he did.) Don't remember saying to you (Mr. Coe) that Jenkins admitted the expressions was wrong; Heft the house because it was to my interest, not from inducements or bad treatment of Gen. Lane.

By Mr. Ewing—State what induced you to enter into this lease with Jenkins, or the attendant circumstances.

Mr. Hutchinson (Lane's attorney) about the matter;
I did go to Hatchinson's effice: he was not in; Mr.
Clark was there; he told me that I had better enter
into an agreement with Jenkins, so as to avoid fuse
with him; I accordingly did so; there was a conditional bargain between me and Jenkins before the lease
was signed; after that there was a verbal agreement
between Mr. Jenkins and me that the claim contest
was to be settled before I paid the rent; I did not tell
Gen. Late of the existence of this lease from Jenkins
can't say that I was requested to keep the matter a
secret from Lane; the gate in the rear of the house
was made one day when Lane was at Leaunpton,
some time in April, woile I was still residing there.

Q. Who built that fence?

Q. Who built that lence:
Objected to, and objection overruled.
A. Don't know [laughter]: I objected [laughter] to
A. Don't know [laughter]: I objected [laughter] to the lease enjoining-payment in advance, but said that me and Mr. Jenkine had an understanding about that.

I remember, continued the witness, that the reservation of the use of the well was made at Mr. Jenkin's

tion of the use of the well was made at Mr. Johnson special request, in Mr. Coc's effice; I post the rent to Gen. Lane; paid partly in board and partly in money. In the course of a legal sparring maten after this question, Col. Young sait that the precurement of this lease was the most outrageous fraud ever perpetrated. The reply of Gov. Stanton was admirably account. After a statement of the case, no added:

"Certainly, therefore, the words of Col. Young are considered by account the words."

not critically correct, however correct they may be in point of good taste! Col. Young spoke of the lease as a parenthesis be-ween Cee sud Jenkins!

I emitted yesterday to send you the evidence of Jim Walker, the previous tenant of the house. As it will have, or is calculated to have, an important bearing in favor of Lane, I will now supply the ounselon; I was forced to leave it out before to save the mail:

TESTIMONY OF JAS. F. WALKER. Know Col. Jerkits, and know Gen. Lane; heard Jerkine make threats against Gen. Lane during the claim trial at Lecompton; this was say about four weeks sgo, in front of the Collamore buildings, in Lawrence; he said that if Lane got the claim he never should occupy it; this statement was made while conversing about the claim trial; he also stated that as seen as the trial was over, he would put Lanout of the house; have heard him say on several or cusions that he cught to kill Lane; never heard ninesay that he would kill him; I lived in the house known a the Chapman House since November, 1857, till the present Spring; there was not tren an abundant supply of water in the well; therefore I had on several occasions to step the neighbors from getting water at the well; I occasionally stopped them a day or two, and four times for a week; I stopped Mr. Jenkins's rampy with the reet: I rented the house of Gen. Lone: the Goneral made his bome with me all the time I was there; there is a picket fence about the house inclosing the

Cross examined.—Did not take alease of the house from S. N. Wood: rented it from no one but Line; never stated that I did to any one; never stated that I did to any one; never stated that I did to any one; never stated that the rent all the Winter for nothing; have stated that S.N. Wood asked me for the rent several times; also said that I would not pay Wood—that I would pay the man from whom I got it, Gen. Lane; I now say that I have paid Gen. Lane; I know that Mr. Nichols leased the house of Gen. Lane; knew it from conversation bet ween them in my presence; don't know that Nichols rented the house of Jenkins; do know that he retted it of Lane; don't remember hearing Lane use abusive language toward lanking done. abusive language toward Jenkius during the land

trial.
To Mr. Ewing—I communicated the threats of Col.
Jerkins to Gen. Lane the next day.
TESTIMONY OF SAMUEL WALKER.
Samuel Walker, Sheriff of Douglas County, being sworn, deposed as follows: Knew Gains Jenkins, now deceased; saw him on the day he was shot, about one hour before the occurrence; thought he was in liquer; saw him dricking twice that forenoon; don't know positively, however, that he was drinking liquer; was the first who arrived at Lane's house after the occurrence; found him tying up his wounded leg with a handkerchief; told him at once that he would have to consider himself under arrest; asked him the whereabours of the men who shot him; he said that they had gone over to Jenkins's house; went over and found three men at J-nkies's stable, and saked who was with Jenkins when he was shot; a tall man with a black mustache, whose name I did not then know. said that he was; he said that it his pistol had gone off Lane would not have shot Jerkins; I then said, "That Lane would not have shot Jerkins; I then said, "That puts another face on the whole affair, and that he, too, must consider himself under arrest;" I saked what they went there for with pietols; he said, "By God! we went there for a fight, if we couldn't get me water;" asked if Lane did not tell them not to came into the yard; they said that he did, in reply to my question, but that they did not think Lane would shoot—that they thought he would back down, as there were four of them; that was about all that was said. I had not a writ them, but they said that they said; I had not a writ then, but they said that they would not leave: a writ was subsequently used and given to a constable to serve; have since ascertained that the name of the tall man is Green.

that tre name of the tall man is Green.

Cross-examined—Think it was the next to the smallest of the three (Dixor) who said that they ought to have shot Lane in tree head instead of he leg. I used the word "pistols," net "pistol," when I asked what they went over for, they said that they all went armed; am not sure whether they all said so or one for the whole, but I am sure that the young man who wished that he had shot Lane in the head instead of the leg did not use the third person, but the first person singular, as if he hurself had shot Lane.

Direct examination renmed—Don't know that I ever communicated any threa's I may have heard from Jenkins to Lane; do not think that I did so, as I was very friendly to both, and my object was to pacify, not to embitter their feelings; did hear certain abusive language both from Jenkins and Lane, toward each other, frequently, both at Lecompton recently and elewhete.

TESTIMONY OF BESJ. F. GATES.

Knew Gen. Lane and Snew Mr. Jenkins by sight; was within sight of the affray on the 3d of June between Gen. Lane and Mr. Jenkins: was on the sout side of the yard, close to the fonce, about 75 feet from Gen. Lane and 90 or 95 for a from Jenkins: fire saw Mr. Jenkins coming from his house; there were three persons with him; they came in single file to the gate, Jenkins at acc; we carried something on his shoulder; first saw Lane coming from the house; I was at work Jenkins stend: "e carried comething on his shoulder; first saw Lace coming iron the house. I was at work near by: Jenkins and his party were on the opposite side of his fence; he had an ax in his hand, and was preparing to use it: Lane told him not to come into his lot—to remain on his premises and paralit him (Lace) to stay on his; Jenkins replied that he would cut his fence down, and him too dhe didn't get on of the way; Jenkins replied that he would cut his fence down; it was a picket fence; there had been a gate there, but it was fasteaed up strong; and the proposition of the way. Lace down in mastime, Lace re cut and pulled the feed down; meantime, Lane has returned to the boose, and come bank; Jenkins come through the gate, telling his men to come along; came through the gate, telling his men to come along;
Late met him, and told him not to advance; Jenkius
mede some reply; don't remember what; he still advaticed toward have; he had his an drawn up, his
men on the right. Late again told him to stop, but
Jenkius kept on this course, and never balted: Late
retreated toward his door, and took up his grinand told Jenkius to stop; in the mean time, there
were two reports; Lane took down his grun, stepped
back two or three steps, and motioning with his cand
to Jenkius not to come, told him not to advance another
step: Lane again told him he would shoot him if he
come any functor; Jenkius replied to him to shoot and
he dead. Late draw his gun up and took sight on him; be decided the control of the contro two remained in the lot; I know the names of three only—Young, Jerkins and Green; it was Green who went through the gate; these men were armed; three of them had recolver; two of them, after Jenkins was shot, fell back to the gate and fired a gun; Green fired a gun; don't know where he got it; he had a pis-tor in the lor; Mr. Jankins had his ax in his nand when he was shet; Gab. Line at pped back after he had taken sight before he fired—stepped to ward his coor—and wher the two reports, Jankins and his men were pursuing Lane when he fell back: Jenkins was in advance of his party when Lane fired . .; the ax was tour feet from Jeckins when I went up to him. [I now comt all that part of his evidence which does not conflict with the statements of the prosecu-

Jenkins appeared to be in a rage when he left the Jukius appeared to be in a rage when he left the
gate; he walked quite fast, saying something about
having Lane out of that, that he had "waked up the
wrong passenger;" I knew of a massenger from
Jenkius to Lane; it was young Jenkius who came
he said that Jenkius was coming over, and wasted
him (Lane) to be there; Lane persuaded him to g
back and tell Jenkius." for Gods aske not to come;
the gate had been out down several times prevous t

ms out of the house; he then said I had better consult. Wm. Hutchinson (Lane's atterney) about the matter; I did go to Hutchinson's effice; he was not in; Mr. Clark was there; he told me that I had better enter nito an agreement with Jenkies, so as to avoid fuss with him; I accordingly did so; there was a conditional bargain between me and Jenkies before the lesses was signed; after that there was a verbal agreement between Mr. Jenkies and me that the claim contest.

The Court adjourned until Sa, m. Associated the court interest agreement of a court of the series of the series of the series of the court interest agreement. The Court adjourned until Sa, m. Associated the court interest agreement.

NOTES.

A week has already be an consumed in the investigation of this bemicide. Twenty witnesses have been examined. Of this number, two-one a physicisoaffirmed the fact of death. Two-the nephew of deceased and Mr. Green-actors in the tragedy gave descriptions of it. Two testified that Lane did not make threats when he bought the powder and shot. Three rthers gave irrelevant testimony. One swore that Lane threatened a week before to kill Gain Jenkins.

Seven other witnesses have sworn that the witnesses for the prosecution gave accounts of the affray differing essentially from their statements under oath. Two others testified that Lane had rented them the bouse rear which the affray occurred. The last is an eyewitnes now in the employment of Line, who gives an account of the affray differing from the evidence of the prosecution.

Of the seven, one or two, it is said, are not credible nader cath; one contradicted his own sworn testimony, and the others may possibly have misconstrued the language of the witnesses for the prosecution.

The prosecution say that they will break the testimony of the witnessee for the defendant. That remains to be reen. They say, also, that they will prove Gates to be guilty of will'ul perjury-that he has been taught a lesson which he is repeating under oath.

Lare is a cold-blooded murderer: Lane is a brave neau and deserves applause-just so much are the people of Lawrence divided in opinion on the nature of this case. The boys stand up for him. But he has lost a power over the "silent masses" which (even if this act were laudable) he never can regain. His prestigs is broken-his scepter departed.

By the Christian code-by the common law-Lane certainly is guilty of a crime; but, until the testimony is closed, it will be impossible to say whether or not, by the code and custems of squatter life, he was or was not fully justified in slaying his antogonist. It would be unjust to try him by a higher standard.

GEN. LANE'S TRIAL.

From Our Special Correspondent. LAWRENCE, K. T., June 21, 1858.

For several days past the exciting subject here has been the preliminary examination of Gen. J. H. Lane, before a magistrate, for shooting Mr. Jenkins. Although having no necessary connection with Kansas politics, the affair has received to some extent a political aspect. The rivals and enemies of Gen. Lane have used it as a means of brushing him out of their way, and his friends, for similar reasons, have endeavored to palliate it. It is for this reason that this investigation has assumed political importance. Extensive reports of this investigation are being made and will be published. The examination will consume several days more, when Lane will probably be committed for trial, as, I presume, he has no desire to be acquitted in a mere preliminary examination. The importance given to the affair at this stage

is, doubtless, owing to political considerations.

So far the testimony is very much mixed. By
the evidence for the defense, as given on Saturday. it would appear that the shooting was done in self-defense. I have not yet been able to form a decided opinion as to the relative merits of the case. I regard it as involving this question-whether Lane shot Mr. Jenkins in strict self-defense, or on a point of chivalrous pride? If the latter, there is no excuse for it, especially in a man in his position. If the former, there is no man who might not have been placed in a condition equally unfortunate, and been driven to commit an act which he might regret. Although I have not spoken to Gen. Lane since the occurrence, I have been informed that he regrets it deeply, and has even said that he would rather occupy the place of Jenkins than his own. Against Lane there is the evidence that the party shot was still at some distance from him, and the obvious fact that his personal danger must be greater after he fired than it could be before it, as an armed party accompa-ried Jenkins. In Lane's favor there is the unques-tionable fact that Jenkins, with an armed party, in hostile attitude, invaded Lane's premises, and were engaged in demolishing his fences. testimony of Mr. Gates, it appears o shots were fired at Gen. Lane that two shots before he shot Jenkins, and if this is substantiated it would sequit him both legally and morally. Sheriff Walker also testified that Green, who was with Jenkins, said that if his (Green's) pistol had gone off when his cap burst, Lane would not have shot

At the investigation here several persons, prominent men, have been very active, and exhibited a desire, to say the least of it, to see justice done. The testimony of Judge Smith was unquestionably bitter. The feeling thus exhibited has the effect of creating a popular feeling, on the other hand, in Lane's favor. It is regarded as a political warfare

All this is extremely unfortunate. The ends of justice demand an impartial investigation natouched by bias. It is due to public morals that nothing should intervene to give the matter any bearing but its simple one, apart from political or personal considerations. No friendship for or enmity to Gen-Lane, should be permitted to enter into the account. No friendsh p for or enmity to Gen-As the investigation so far proves. Lane has either shot Jenkins in strict self-defense, or on a point of pride, they invading his premises, and evidently on hostile business. In no case would a jury anywhere return a verdict of murder. But in all such instances grave questions will arise. A man who occu-pies a public position is held responsible not only for the literal justice of his acts, but for their wisdom, It would have required a very high order and delicate sense of morality in any one occupying Gen Lane's situation, to have retreated before the aggressor, and preferred the scoffs of an anthinking multitude, than by remaining to have been precipitated into the necessity of taking human Southern man and a Kentuckian, Gen. Lane would have lost caste by doing so. The man snot had been known to express the opinion that "Lane was a It is even charged by Lane's friends that the whole thing was a conspiracy to destroy the prestige of his name and popularity by "backing him down." How many of our Southern Hotspurs in Congress are there who would have done differently from him if placed in his position—admitting the truth of the strongest evidence against him

But waile this may explain, it cannot palliate any such act. We know that it is not only a misfortune, but a grievous wrong that some one has been guilty of. It may have been the deceased, who has thus paid the tearful penalty of his fault.

On the other hand, if it be proven that Gen. Lane shot this man in simple self-defense, let him stand acquitted before the world. But if it was merely a point of "chivalrous" refusal to "be driven," as has been said here, "like a dog to his kennel," then let the public mind hold him responsible for such sentiment-no matter how common or how popular. In this respect, the public morals need correction elsewhere as well as here.

FROM HAVANA.

The Empire City, Capt. S. P. Griffin, left New-Orleans 20th inst., at 8 a. m., and arrived at Havana on the 22d at 5 p. m. The Company's steamer Granada

presumed agent of the French Government in Cantral America. The two first named parties have spent the last three or four mouths in Costa Rica, and bring with them beteresting documents and rare specimens of natural history, arcient Indian relies, &c.

Mr. Belly, it is said, comes to New-York with the intention of making a fearful expose of the doings of North Americans in Central America for the last 25 or

Col. Frank Anderson and Col. Bruno aon Nazmer of the pirate Waiker's staff, came passengers by the Empire City from New-Orleans.

PUBLIC MEETINGS.

THE BOARD OF HEALTH. The members met yesterday with his Honor the Mayor in the chair.

resolution authorizing the Cay Inspector to remove any number of swins above four found on the City lot,

Ment Inspectors. - The Committee to whom Council

Meat Inspectors.—The Committee to whom Conneil-man Gener's resolution providing for the appointment of an Inspector of Meats and ten assistants, reported in favor of six Inspectors only. Councilman Gener was indignant at the number being out down to six. He made a long and excited speech, in which he included patriotism and a variety of in generation.

of i. congruities.

Ald, Tuckes complimented Mr. Genet's speech, but

Aid. Turkes complimented Mr. Genet's speech, but defied him as a lawyer, to show where this Board of Health had any legislative powers. The whole legislative power in city officers was vested in the Mayor and Common Council. He did not see the necessity of Mr. Genet's project to have a Surveyor-General and ten assistants to go smelling around the city. The Board of Health might recommend their appointment, but they could only be appointed by the Common Council. He was opposed to the Inspectors; but if there were to be any, he boned there would not be over six, and that they be the right kind of menthose who would judge properly of the different kind of meats. There was no doubt in his mind but the neats. There was no doubt in his mind but the neats affected the service of a certain men were already picked out, and were of a certain

elique.

Aid. REED said this project was conceived in iniquity, and was for no other purpose than to give certain politicians easy and lucrative positions. It was
calculated to give our inspector \$1,200, and the other
ten \$1,000 each. There were three or four men now
attending to such inspections, and they were sufficient.
He, as a practical butcher, could speak with coefidence on the subject. There were nearly 1,000 meat
shops in the city, and not over 100 of this number
would ever be found with unwholesoms meat. There
were of course several very nearly places of the kind,
but the Laspectors now attached to the City Inspector's Office were capable of attending to all that
needed looking after.

eded looking after.
Ald. General contended that this Board has legis lative power, and consequently they com'd appoint the efficers required, on nomination by the Cay Inspector. efficient required, on nomination by the City Inspector. He, for one, asked no office nor the spointment of any friend, but he considered the measure highly necessary to the public health, and to prevent the pecter class of citizens from being swincied. It was nonesary that the inspections be made daily, and se could not see how less than ten could perform the duty. Ald. Tacker had said that it would be a windle, but had signed the report for six. If ten were a swindle six were certainly as much so.

Ald. Tucker said he did not hold to the necessity of more than the three attached to the City Inspector's

more than the three attached to the Ciry Inspector office, but of the two evils he would choose the Councilman Dusa moved to strike out six and insert

Ald. Tucken again opposed the measure. The Inand, It was a again opposed the measure. The Inspectors were caucused on, he knew, and the appointment would be given to rien who would be found inspecting the grogsbops instead of the meat shops.
They would be another unnecessary burden on the
city treasmy.
Connecto an Cross said Mr. Genet had talked much

of inconsistencies; if that gettleman wanted to see inconsistencies, he had only to look at himself in the

After some other discussion, the motion for ten Inspectors was lost by 10 to 10.

Mr. Grazr then moved that the report be laid on the table, which was carried.

The Sault-Mak Business.—Two reports were presented—a majority and minority—on the swill-milk

Ald. Tuomer asked that 10 000 copies of the ma-Ald. Read wished to see 5,000 published, for the subject had bee widely misrepresented by the public press, and the people had not heard the true state of

Councilman Cross opposed printing. The reports would be in the newspapers, and no one would read them in Corporation print when they could find them

in the newspapers.

Ald. Fucken thought it necessary to print 2,500 Aid. Freeze thought it necessary to print 2 and copies, as they would contain the testim my in full, as well as the analysis, for subjects of public reference, and to have the same on the Corporation records. Five thousand copies were finally ordered of all the A bill of Chilton & Doremus, chemists, for analyza-

tions of the milk, was presented (the sum of \$500) and ordered paid. ordered paid.

The responsy of the Special Committee of the Board of Health, to whom was referred the following resolu-

tion:

"Resolved, That there be appointed a Select Committee of five members of this Board, for the purpose of investigating, so for as may be practicable to do so, the character and condition of the sources from which cowst mak is decired for the purpose of sale in this city, and that they report the result of their investigations to this Board, together with such ordinance or continuous regarding the stability of cows and the sale of mik that they may deem processary."

Salis

Specific gravity.

Salis

Specific gravity.

Sulter.

Caretin

Current.

respectfully report that they entered upon the duty assigned them with the full conviction that it was an im-portant and responsible one, as diseases have given the abject a most patient and thorough investigation, and made every possible endeavor to strive at the laces in the case.

The principal establishments for the keeping of cows.

faces in the case.

The principal establishments for the keeping of cows in New York, and from which the greater portion of the swill milk that is used in this city is derived, are the distility stable sound by Brailis Johnson, and sinated on the block of ground bounded by Flittenth and Fixteenin arreits and Trath and Eleventh avenues, and those owined by Mr. Moore, located between Thirty-eighth and Tarry much streets and Testh and Eleventh avenues.

Your Committee extansionated the prosecution of their labors by making a minute personal exemination of those positions, and of the cows contained in these, for the copies of accordance the manner in which the stables were constructed, the mode and extent of their ventilation, and their satisfacy conditions generally and also, the nearby or or brailing they produced appeliances of milk, which they saw milked from various ones in the stables, and also a specimen of the avail or distillery view which constitutes the pritrips article of the neurishment of the animals. To see were delivered personally by members of the Committee to Dra Jas. R. Chi ton and R. Ogden Doremus, two emicent chemists in this day, with whom arranger note were effected to make a thorough and complete analysis of a polimens of milk and swill.

On subsequent occasions one of the Committee (Mr. Tocker) presented a wereal of the specimens of milk from those stables, and so as to avoid any mistake in the matter he as it milled from the cower and elevered it to the chemists in person. In order to contest the swill milk with that derived from a cow fed on dry feed, your Committee the needs with which that derived from a cow fed on the cow and elevered it to the chemists in person. In order to contest the swill milk with that derived from a cow fed on dry feed, your Committee procured some milk which was taken from a cow fed on dry feed, your Committee then held sky public meetings in order to a ford a manner and proper particles he be rised.

reco. or Committee then held six public meetings in order to af-In still n which they could obtain in relation to the matter.

With respect to the representations made by Frank Lestie in in Historical Newspaper, regarding the unhealthy condition of the swill stables and the cows kept in them, and the p desonant properties of the milk derived from such sources—and which state monts were sustained by the press and believed by the public get crails—your Committee are convinced that any symion which we might give would prove altogether unsatisfactory to the Beard of Hearth and the noble. Hence they deem it unnecessary to enter into a lengthy exposition of their investigations, but conclude to submit in detail a website so the thereport of all the testimony elicited before them, together with several analysis of the milk and the swill made by the chemicist (all of which are herefor appended) so that all persons may judge for themselves, and the Beard be enabled to take such action in the matter as it may deem most advisable.

relives, and the Board be enabled to take such action in the matter as it may deen most advisable.

Your Committee wound state, how or, that in their examination of the stables, a marked deficiency of ventilation was observed, especially in those stables constructed of wood. The brick buildings, being of more redeen construction, contained many improvements in this respectives the old worden stables. In every instance, bey found that the stable alloted to each now were much too small, being only about three feet in width, which certainly is not sufficient space to give ample room to the automals.

The stables, when the Committee visited them, were in as deadly condition as it was nearly for such places to be in. With

animals.

The stables, when the Committee visited them, were in as desady condition as it was nearble for such places to be in. With very few exceptions the cows were found to be in good condition and a healthy state. A few acres were observed upon the joints of their legs, canced, we believe by their lying down upon the several plants, but no offers were found upon their joints of their legs, canced, we believe by their lying down upon the west plants, but no offers were found upon their by the plants of their legs, canced by the tails of several of them, but shows the bash of the tail. Your Committee were informed that these serse were produced by the process of incondition which is practiced extensively in order to prevent the contraction of a discase that is said to prevent prevent the contraction of a discase that is said to prevent place and many the cows in this nity and in the varrouncing scentry.

This incondition consists of the insertion in the trils of the living animals as the virus, matter from the longs of a new which has died of the discase. The cows are inoculated when first brought into the stables and it generally requires two or three weeks for the sure to heal, and sometimes it is thought better to ent of the tail. This is one of the reasons why short-called cows were found in the stables.

Note windstanding the general good condition of the cows in those stables taken in a mass, your Committee a e satisfied that by permitting a sufficient number of ventilators in the ceilings and roots of the buildings, and arranging the stables to that each animal would have a space of at least five feet in the clear it would add most, materially to the clean lines of the stables, the purity of the sir in them, and consequently to the comfort, health and to proved general condition of the cows.

As to the description and prisonous qualities of swill milk, from the use of which it has been repeated a sected at late from eight to the number would state that all the si tomory which they have been able to obt

rectly to the swill stables by the witnesses testifying to the fact; and the chemical analysis establishes the fact that there are no and the chemical analysis establishes the fact that there are no deleterious or policotions substaines either in the sult secreted by these swill-field cows, or in the swill open which they are fold.

Your Committee received the formal complaint of the Chy Inspector satist these cow stables when the investigations were nearly completed. They do not deem it necessary for these so recommend any action in relation to the subject referred to them, except the adoption of the following resolutions:

Resolved, That the proprietors of the covariables eithered between fitteenth and Satteenth attests and Tenth and Eleventh areans, and Thrity-lighth and Thirty-shirth and Thirty-shirth and Thirty-shirth and Thirty-shirth and Thirty-shirth and Thirty-shirth and Eleventh areans, be and they are bereity directed to be associated the ceilings and roofs and otherwise, as may be secontated by the Chy long-stor. Also, that the proprietors of said stables to altered as to give such cover a space of not less than five fact in the least, the same to be done forthwith under the direction and to the satisfaction of the City Inspector.

the slear, the same to be done forthwith under the direction and to the satisfaction of the City Inspector.

Resolved. That the City Inspector be and he is hereby instructed to cause the above resolution to be carried into effect in relation to the above mentioned stables and all other similar constables in the City and County of Nas. York.

[Signed.] MCHARL TUOMEY, Special Committee WM. TUCKER, E. HARRISON REED.) Board of Health.

The members met year favor in the chair.

Sundry petitiens were received in relation to minor surface petitiens were received in relation to minor natters and referred.

The Hog Nuisance - Councilman Brady effered a Gaynamer Tourney, Tucker, Reed and others, Committee Gaynamer Having been appointed by your bassippe various samples of mak and "distillery awill," we beginned and mice to report the following is the results of our chemical and mice to report the following is the results of our chemical and mice

to report the following as the results of our constant of the second investigations.

Sawfur, No. | Received from the Committee May 29 (represented as being the "strippings" of a cow), was small in quantity, and satisfied the appearance of enduary cream.

It save adjuly alkeline reactions—the specific gravity at the temperature of 60. Fairt, was 10.20—and it contained in the hundred parts:

Water. 65.39, Surat. 1.88

Butter 22.37 Saline ingredients 1.19

Carein. 9.16 Received May 27 and May 29, was slightly sikaline.

offic gravity 1,028, and contained of ter. 85.47 | Security 1,028, and contained of ter. 85.47 | Security 1,028, and contained of ter. 85.47 | Security 1,028, and contained of ter. 85.47 | Water.....

No. V.—Received May 27 and 29. Was slightly alkalias, Specific gravity L63i;
Water S7.55 Sugar. L89
Butler 2.23 Saline matter 77
Ceseit Total 100.00
At the suggestion of your Committee we obtained specimens of milk from the row stables center of Sixteenth street and Testa aveture, fune 2. The following is the average of two analyses. They were slightly alkalias. Average specific gravity, L028, and visided of Water. 85.98 | Sales Sales.

1181.
The samples of milk were each separately examined and tested.
The samples of milk were each separately examined and tested. with obtained reasonts, under the microscope—they were to exhibit the usual appearances and reactions of milk unde-creum-stances. Neither pus, blood nor conformal substances.

discovered. In order that the results of these examinations may be more readily compared, we have arranged them in a tabular form—and in accordance with the wishes of your Committee, have appended a few analyses of milk, by acknowledged European authorities.

"Strippings" equal to Cream. | Water | 15.47 |
Bolid constituents	14.53
Butter	6.31
Careiu	5.47
Sugar	2.12
Sulta	6.6

Average of two analyses of milk from John-son's stables, obtained June 2 Slightly alkaline. 10.28 85.86 14.14 4.42 7.08 1.79 .85 Average of two analyses of milk from cow of J. Suydam

Averages of four analyses of milk from 5 cows, taken at two different times, June 4 and 6. Slightly alkaine. 10:32

ANALYSIS OF MILE BY EUROPEAN CHEMISTS. Simon. 85 70 14.30 4.00 5.10 6.80 7.20 6.98 Salt...... 460 2.90 Boussi Herbergault & La Bel. 87,40 12 60 3,90 Chevalier & Hearl. 87.02 12.99 3.13 Water. 86.20 Solid constituents 13 80 Butter. 3.75 Butter. Casein (with insoluble Salts)

Professor Chemistry New York Medical College.

MINORITY REPORT.

As a member of the Committee of Investigation of the mather in a bich cows are stabled and fed at some of the distillation of grain in the city, for the farnishing of milk for the purpose of sale, I in company with my colleagues of the Committee, visited the stables of Mr. Bradish Johnson in Sixteenth atreet, near the Tenin avenue, and of Mr. Moore in Thirty-sinth street, near the F. eventh avenue and from my observations at these places, added to the results of the subsequent treatigations with style Committee, I sax leave to summit the following teport:

The STABLES.